

By: Collier

H.B. No. 1832

A BILL TO BE ENTITLED

AN ACT

relating to disclosures regarding the provision of services by certain health care providers in certain health care facilities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 324.001, Health and Safety Code, is amended by amending Subdivision (8) and adding Subdivisions (9) and (10) to read as follows:

(8) "Facility-based physician" means an individual licensed to practice medicine in this state:

(A) to whom the facility has granted clinical privileges; and

(B) who provides medical or health care services to patients in the facility under those clinical privileges [a radiologist, an anesthesiologist, a pathologist, an emergency department physician, a neonatologist, or an assistant surgeon].

(9) "Facility-based provider" means a facility-based physician or other health care practitioner who provides medical or health care services to patients in a facility.

(10) "Health care practitioner" means an individual issued a license, certificate, or other authorization to provide health care services. The term does not include a physician.

SECTION 2. Section 324.101(a), Health and Safety Code, is amended to read as follows:

(a) Each facility shall develop, implement, and enforce

1 written policies for the billing of facility health care services
2 and supplies. The policies must address:

3 (1) any discounting of facility charges to an
4 uninsured consumer, subject to Chapter 552, Insurance Code;

5 (2) any discounting of facility charges provided to a
6 financially or medically indigent consumer who qualifies for
7 indigent services based on a sliding fee scale or a written charity
8 care policy established by the facility and the documented income
9 and other resources of the consumer;

10 (3) the providing of an itemized statement required by
11 Subsection (e);

12 (4) whether interest will be applied to any billed
13 service not covered by a third-party payor and the rate of any
14 interest charged;

15 (5) the procedure for handling complaints;

16 (6) the providing of a conspicuous written disclosure
17 to a consumer at the time the consumer is first admitted to the
18 facility or first receives services at the facility that:

19 (A) provides confirmation whether the facility
20 is a participating provider under the consumer's third-party payor
21 coverage on the date services are to be rendered based on the
22 information received from the consumer at the time the confirmation
23 is provided;

24 (B) informs the consumer that while the consumer
25 is in the facility, the consumer may receive services from a
26 facility-based provider due to:

27 (i) planned or anticipated events or

1 services;

2 (ii) facility scheduling conflicts;

3 (iii) facility staff changes;

4 (iv) medical complications; or

5 (v) other reasons associated with the care

6 of the consumer;

7 (C) informs the consumer [~~consumers~~] that a
8 facility-based provider [~~physician~~] who may provide services to the
9 consumer while the consumer is in the facility may not be a
10 participating provider with the same third-party payors as the
11 facility;

12 (D) [~~(C)~~] informs the consumer [~~consumers~~] that
13 the consumer may receive a bill for [~~medical~~] services from a
14 facility-based provider [~~physician~~] for the amount unpaid by the
15 consumer's health benefit plan;

16 (E) [~~(D)~~] informs the consumer [~~consumers~~] that
17 the consumer may request a listing of facility-based providers
18 [~~physicians~~] who have been granted clinical [~~medical staff~~]
19 privileges to provide medical services or health care services at
20 the facility that:

21 (i) includes the contact information of
22 each provider; and

23 (ii) identifies each provider by type of
24 license or other certification, any specialty, and type of clinical
25 privileges;

26 (F) [~~(E)~~] informs the consumer [~~consumers~~] that
27 the consumer may request information from a facility-based provider

1 ~~[physician]~~ on whether the provider ~~[physician]~~ has a contract with
2 the consumer's health benefit plan and under what circumstances the
3 consumer may be responsible for payment of any amounts not paid by
4 the consumer's health benefit plan;

5 (G) informs the consumer that laboratory
6 services related to the consumer's facility admission, stay, or
7 services may be provided by a laboratory that may not be a
8 participating provider with the same third-party payors as the
9 facility; and

10 (H) informs the consumer that the consumer may
11 request from the facility a list of the names and contact
12 information of the laboratories that typically provide laboratory
13 services for the facility;

14 (7) the requirement that a facility provide a list, on
15 request, to a consumer to be admitted to, or who is expected to
16 receive services from, the facility, that contains the name and
17 contact information for each facility-based provider ~~[physician]~~
18 or facility-based provider ~~[physician]~~ group that has been granted
19 clinical ~~[medical staff]~~ privileges to provide medical services or
20 health care services at the facility; and

21 (8) if the facility operates a website that includes a
22 listing of individuals licensed to provide medical services or
23 health care services ~~[physicians]~~ who have been granted clinical
24 ~~[medical staff]~~ privileges to provide ~~[medical]~~ services at the
25 facility, the posting on the facility's website of a list that
26 contains the name and contact information for each facility-based
27 provider ~~[physician]~~ or facility-based provider ~~[physician]~~ group

1 that has been granted clinical [~~medical staff~~] privileges to
2 provide [~~medical~~] services at the facility and the updating of the
3 list in any calendar quarter in which there are any changes to the
4 list.

5 SECTION 3. The changes in law made by this Act apply only to
6 charges for a health care service or supply provided on or after the
7 effective date of this Act. Charges for a health care service or
8 supply provided before the effective date of this Act are governed
9 by the law as it existed immediately before the effective date of
10 this Act, and that law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2017.